

## **Victim/Witness Rights**

### ***(Additional Rights for Children)***

The Victims of Child Abuse Act of 1990 was enacted to address the special problems caused by the investigation of a child abuse case. A “child victim or witness” is a person under age 18, alleged to be a victim of a crime of physical/sexual abuse or exploitation, or a witness to a crime committed by another person. The act codifies specific “rights” for children including the following:

1. The right of a child to have an adult attendant accompany the child during court testimony and assist the child in other necessary activities in the process.
2. The allowance of the use of closed-circuit television and videotaped depositions of the children, as alternatives to live, in-court testimony.
3. Stringent procedures which protect a child witness’ privacy as well as sanctions for violating such procedures.
4. A requirement disallowing routine competency examination, except upon written motion that compelling reasons exist and ruling out age as a compelling reason.
5. An allowance that when a child victim or witness testifies, all persons who do not have a direct interest in the case may (subject to restrictions) be excluded from the courtroom.

These measures are intended to reduce the trauma to the child victim caused by the criminal justice system, while at the same time, increasing the successful prosecution of child abuse offenders.